IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

Bail Appl..No. 84 of 2007()

Crime No.395/05 of Hill Palace Police Station
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: PETITIONER/ACCUSED NO.3:

RAJENDRAN N.,
NALPATHITHARA, NEREKADAVU,
UDAYANAPURAM P.O., VAIKOM.

BY ADV. SRI.P.S.NANDANAN
SRI.ANOOP P.N.
SRI.SABU B.

RESPONDENT: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE STATE PROSECUTOR,
HIGH COURT OF KERALA, BY SUB INSPECTOR OF POLICE,
HILL PALACE POLICE STATION, THRIPUNITHURA.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 84 of 2007

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Dated this the 10th day of January, 2007.

ORDER

In this petition filed under Section 438 Cr.P.C . the petitioner, who is the third accused in Crime No.398/05 of Hill Palace Police Station for an offence punishable under Section 420 read with Section 34 I.P.C., seeks anticipatory bail.

2. The petitioner is an employee of the Himalaya Group of Companies, which is an establishment conducting chitties. According to the petitioner, the amount claimed by the de facto complainant is due from a kuri which was subscribed long prior to the joining of the petitioner in that Firm.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month

in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

5. The petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.Ramkumar,
Judge.

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